

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

JOHN L. CRAYTON

Plaintiff,

V.

Case No.: 2:07cv626-MEF

**ALABAMA DEPARTMENT OF
AGRICULTURE & INDUSTRIES**

Defendant.

REPORT OF PARTIES' PLANNING MEETING

1. Pursuant to F.R.C.P. 26(f), a planning meeting was held on October 24, 2007, with participation by the following:

Juraldine Battle-Hodge, Esq. for plaintiff, and Emily C. Marks, Esq. for defendant.

2. **Pre-Discovery Disclosures.** The parties will exchange the information required by F.R.C.P. 26(a)(1) by **November 23, 2007.**

3. **Discovery Plan.** The parties jointly propose to the court the following plan:

a. Discovery will be needed on the following subjects:

- (1) the factual and legal issues and claims made by Plaintiff in this action;
- (2) any and all damages claimed by Plaintiff; and
- (3) factual and legal issues related to Defendant's defenses.

Disclosure or discovery of electronically stored information should be handled as follows:

Both parties agree that they will submit electronically stored information in a form useful by the other party. If data is stored in specialized software or programs, the party retaining such information agrees to convert the information into pdf format. If conversion of information into pdf format is not reasonably possible, the party retaining such information agrees to convert the information into a format which the other party can use or to reproduce the information into paper form. If no such means are available, the parties agree to allow the opposing party to access the information at a pre-arranged time and place.

The parties have agreed to an order regarding claims of privilege or of protection as trial-preparation material asserted after production, as follows:

- (i) Standard HIPPA Protection Order for healthcare information
 - (ii) Standard Protection Order for other privileged or protected information.
- b. All discovery commenced in time to be completed by **December 19, 2008**.
- c. Interrogatories: Maximum of **25** interrogatories by each party to any other party. Responses to all Interrogatories are due 30 days after service.
- d. Requests for Production: Maximum of 30 requests for production by

each party to any other party. Responses to all requests for production are due 30 days after service.

e. **Requests for Admission: Maximum of 30 Requests for Admission** by each party to any other party. Responses to all Requests for Admission are due 30 days after service.

f. **Depositions: Maximum of 10 depositions** by each party. Each deposition limited to maximum of 7 hours unless extended by agreement of parties.

g. **Reports from retained experts under Rule 29(a)(2) due:**

From the plaintiff by **August 18, 2008**

From the defendant by **September 22, 2008**

h. **Supplementation of discovery under Rule 26(e)** due within 30 days of receipt of information.

4. **Other Items.**

a. **Scheduling Order Conference:** The parties do not request a conference with the court before entry of a scheduling order.

b. **Additional Parties:**

(1) The plaintiff should be allowed until **February 15, 2008**, to join additional parties and to amend the pleadings.

(2) The defendant should be allowed until **March 17, 2008**, to join

additional parties and to add defenses and amend the pleadings.

c. All potentially dispositive motions should be filed by **ninety (90) days prior to the pretrial hearing.**

d. Neither settlement nor the possibility for Alternative Dispute Resolution can be realistically evaluated prior to at least some discovery.

e. The parties request a pretrial conference in or after **January, 2009.**

f. Final lists of trial evidence under Rule 26(a)(3) should be submitted in accordance with the pretrial order issued by the Court.

g. The case should be ready for trial by **February 16, 2009**, and, at this time, is expected to take approximately 4 days.

Dated this the 24th day of October, 2007.

/s/ Juraldine Battle-Hodge
Juraldine Battle-Hodge
Attorney for Plaintiff

OF COUNSEL:

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